

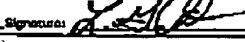
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## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.P.R. §1.8

I hereby certify that this correspondence, totaling 12 pages including related attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-672-0308 (Central number) on the below date:

Date: September 7, 2004 Name: Lawrence G. Almada Signature: BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE:

In re Appn. of: SCOTT E. BOATMAN et al.

Appn. No.: 09/848,742

Filed: May 3, 2001

For: MEDICAL DEVICE INCLUDING UNITARY,  
CONTINUOUS PORTION OF VARYING  
DUROMETER

Attorney Docket No: 8627-189

Examiner: C. Williams

Art Unit: 3733

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

Attached is/are:

- Reply Under 37 C.F.R. § 1.111 and Response to Notice of Non-Compliant Amendment Under 37 C.F.R. § 1.121
- Return Receipt Postcard

Fee calculation:

- No additional fee is required.
- Small Entity.

- An extension fee in an amount of \$\_\_\_\_ for a \_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- A petition or processing fee in an amount of \$\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).
- An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity	Not a Small Entity
Total	Minus			x \$9=	> \$16=
Indep.	Minus			x 43=	> \$86=
First Presentation of Multiple Dep. Claim				+ \$143=	+ 1280=
				Total \$	Total \$

Fee payment:

- A check in the amount of \$\_\_\_\_ to cover the above-identified fee(s) is enclosed.
- Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- Payment by credit card in the amount of \$\_\_\_\_ (Form PTO-2038 is attached).
- The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,



Lawrence G. Almada (Reg. No. 46,51)

1251 -

1251-110

09/07/2004 TRANSMISSION 00000000000000000000000000000000  
September 7, 2004  
Date